

### **Remark**

Applicants respectfully request reconsideration of this application as amended. Claims 1-4, 8-15, 20-21 and 27-29 have been amended. No claims have been cancelled. Therefore, claims 1-29 are present for examination.

### **Double Patenting**

The Examiner has rejected claims 20-29 under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-8 and 10-11 of prior U.S. Patent No. 6,649,898. Applicants thank the Examiner for this careful attention to the parent application. The rejected claims are amended herein and now differ from those in the parent application.

### **35 U.S.C. §112 Rejection**

The Examiner has rejected claims 8-9 and 11-13 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants thank the Examiner for this careful reading of the claims. Amendments have been made to these claims to address the rejections.

### **35 U.S.C. §102 Rejection**

#### ***Schneider***

The Examiner has rejected claims 1-5, 7-10 and 12-19 under 35 U.S.C. §102 (b) as being anticipated by Schneider, U.S. Patent No. 5,753,927 (“Schneider”). As suggested by the Examiner, Schneider shows a light sensing device 12, coupled to a switch 20 that is coupled to a circuit 28 that

receives a signal from the switch when light is sensed. However, to assert that Schneider anticipates the claims is to ignore express limitations recited in the claims.

Referring first to Claim 1 as an example, it recites an optic function subcircuit integrated on the IC. In Schneider, the switch is coupled to an external load, rather than an internal subcircuit. For external loads Schneider suggests another optical power switch, a motor, a relay, a light or other equipment and devices. There is no suggestion that any of these items may be integrated on the same IC as the rest of the optical power switch. On the contrary, motors, relays, lights and the like would most likely not be based on ICs. This would suggest that Schneider's optical power switch is best used in support of a larger device which is not in or on an IC.

Second, in Claim 1 the optic function subcircuit provides an interface between the optical input port and communications circuitry of the IC. In Schneider, none of the suggested intended loads provide such an interface between the optical input port and communications circuitry. This recitation of the claims is contrary to Schneider in that there is only one unit to receive the optical input, the majority voter opto-voter 12 and this unit is already activated in order to drive the connected MOSFET 20.

Schneider states, "the intended load may be another connected majority voted optical power switch." (3:24-25) However, the other optical power switch is not activated by the first optical power switch. In addition, even in Figure 2 in which several opto-voter circuits are coupled together, there is no suggestion that more than one opto-voter be coupled to the same optical input port as recited in Claim 1.

The invention of Claim 1 provides a significant benefit in that it is possible to apply a single optical signal at an optical input port. This signal as received by the light sensing device may activate an optical interface subcircuit allowing connection to an interface circuit that otherwise

may not be activated. In Schneider, the optical signal is applied to power relay switches that are always on and that are used to activate other devices that do not respond to the same optical signal.

Accordingly, for these and other reasons, Claims 1, 10, and 14, as amended, and Claims 2-8, 11-13, and 15-19 which depend therefrom are believed to be allowable over the cited reference. Similar reasons apply also to claims 20-29.

### **35 U.S.C. §103 Rejection**

#### ***Schneider in view of Embree***

The Examiner has rejected claims 6 and 11 under 35 U.S.C. §103 (a) as being unpatentable over Schneider in view of Embree, U.S. Patent No. 5,903,190 ("Embree"). Embree is not cited to show the features discussed above nor does it show any of the features discussed above with respect to Schneider. Accordingly, these claims are believed to be allowable over the cited combination.

### **Conclusion**

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

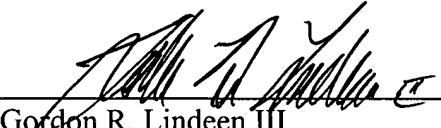
### **Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension. Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 7/29/14

  
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Gordon R. Lindeen III  
Reg. No. 33,192

12400 Wilshire Boulevard  
7th Floor  
Los Angeles, California 90025-1026  
(303) 740-1980